



Attorney Docket No. 14206US01

#23  
JL  
3/28/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Charles D. Gollnick, et al.

Serial No. 09/318,668

Filed: May 25, 1999

For: Radio Frequency Network For  
Delivering Pending Messages To  
Roaming, Sleeping Terminals

Examiner: Not yet assigned

Group Art Unit: 2746

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence  
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Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on March 9, 2003.

Ronald H. Spuhler  
Ronald H. Spuhler  
Reg. No. 52,245

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MAR 16 2004

Technology Center 2600

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- \* A completed PTO form 1449 (modified) which has one (1) page.
- \* A copy of each printed or patented reference listed in the enclosed form 1449 and not previously provided to or by the PTO in this application. Two (2) references are enclosed.

03/15/2004 SDENBOB1 00000137 09318668

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180.00 0P

## **FEE DETERMINATION**

\* A fee of \$180.00 is due because:

- \* The first Office action on the merits has been received by applicant(s).
- \* Applicant(s) believe(s) that this statement and enclosures are being filed before any final action has been mailed by the PTO; before a notice of allowance has issued; and prior to any other action that would close prosecution in the application. The basis of this belief is that no final action, no notice of allowance, and no other action that would close prosecution of the application appear to have been received by the undersigned to date.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

- \* A check for \$180.00 is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

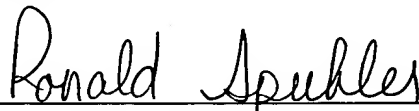
## **REQUEST FOR CONSIDERATION**

This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO-1449 (modified) and return one copy to the applicants to indicate consideration of the enclosed references.

Respectfully submitted,



Ronald H. Spuhler  
Reg. No. 52,245

Date: March 9, 2003

McAndrews, Held & Malloy  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000



2683 2746

PTO/SB/21 (08-00)

Approved for use through 10/31/2002

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/318,663
	Filing Date	05/25/99
	First Named Inventor	Gollnick et al.
	Group Art Unit	2746
	Examiner Name	Not yet assigned
	Attorney Docket Number	1772/14206US01

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached - \$180.00 <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> PTO 1449 (1 page) with copies of 2 cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) ( sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Reply postcard
Remarks		<b>RECEIVED</b> MAR 16 2004 Technology Center 2600

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Ronald H. Spuhler, Reg. No. 52,245 McAndrews Held & Malloy, Ltd.
Signature	<i>Ronald Spuhler</i>
Date	March 9, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 9, 2004

Name (Print/type)	Ronald H. Spuhler	Registration No. (Attorney/Agent)	52,245
Signature	<i>Ronald Spuhler</i>	Date	03/09/04



PTO/SB/17 (11-00)

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<b>FEE TRANSMITTAL</b> <b>for FY 2004</b>  Patent Fees are subject to annual revision.		<b>Complete if Known</b>		
		Application Number	09/318,668	
		Filing Date	05/25/99	
		First Named Inventor	Gollnick et al.	
		Examiner Name	Philip Sobutka	
		Group Art Unit	2746	
TOTAL AMOUNT OF PAYMENT (\$)		180.00	Attorney Docket No.	1772/14206US01

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METHOD OF PAYMENT		FEE CALCULATION (continued)	
<b>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</b>  Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b>  Large Entity Fee Code (\$), Small Entity Fee Code (\$), Fee Description, Fee Paid	
<b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		1051 130 2051 65 Surcharge - late filing fee or oath 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet  1053 130 1053 130 Non-English specification  1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action  1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action  1251 110 2251 55 Extension for reply within first month 1252 420 2252 210 Extension for reply within second month 1253 950 2253 475 Extension for reply within third month 1254 1,480 2254 740 Extension for reply within fourth month 1255 2,010 2255 1,005 Extension for reply within fifth month 1401 330 2401 165 Notice of Appeal 1402 330 2402 165 Filing a brief in support of an appeal 1403 290 2403 145 Request for oral hearing 1451 1,510 1451 1510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable 1453 1,330 2453 665 Petition to revive - unintentional 1501 1,330 2501 665 Utility issue fee (or reissue) 1502 480 2502 240 Design issue fee 1503 640 2503 320 Plant issue fee 1460 130 1460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 8021 40 8021 40 Recording each patent assignment per property (times number of properties)  1809 770 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 770 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1801 770 2801 385 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application  Other fee (specify) _____	
<b>FEE CALCULATION</b>  <b>1. BASIC FILING FEE</b> Large Entity Fee Code (\$), Small Entity Fee Code (\$), Fee Description, Fee Paid 1001 770 2001 385 Utility filing Fee 1002 340 2002 170 Design filing Fee 1003 530 2003 265 Plant filing fee 1004 770 2004 385 Reissue filing fee 1005 160 2005 80 Provisional filing fee  SUBTOTAL (1) (\$)		180.00	
<b>2. EXTRA CLAIM FEES</b>  Total Claims - 20** = x = Fee Paid Independent Claims - 3** = x = Fee Paid Multiple Dependent = = Fee Paid  Large Entity Fee Code (\$), Small Entity Fee Code (\$), Fee Description, Fee Paid 1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 **Reissue independent claims over original patent 1205 18 2205 9 **Reissue claims in excess of 20 and over original patent  SUBTOTAL (2) (\$)		SUBTOTAL (3) (\$180.00)	
**or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Filing Fee Paid	

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Ronald H. Spuhler	Registration No. (Attorney or Agent)	52,245	Telephone	312-775-8000
Signature	Ronald Spuhler	Date	March 9, 2004		

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